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2nd Extra Session, FIRST GENERAL ASSEMBLY

Passed May,1802 by the Legislative Council and House of Representatives of the Mississippi Territory in General Assembly Convened.

(The foregoing Nos.1-21 constitute the 2nd Session,First General Assembly)

22. An Act for altering the time of holding certain Courts therein mentioned.

23. An Act prescribing the number of Jurors to be furnished from the different counties to the Superior Courts.

24. An Act to suspend part of the act to divide Jefferson County.

25. An Act for allowing the additional sum of seven hundred and fifty Dollars for completing the Court House, Gaol,etc,, in Jefferson County.

26. An Act for allowing compensation to Robert Stark for certain services done as Clerk of the late supreme Court of the Territory.

27. An Act More Effectually to serve the Rights and Interests of the Citizens of the Territory.

28. An Act appointing where the next and future sessions of the General Assembly shall be Held.

Nos. 22 through 28 originated in the House of Representatives and were approved May 10,1802.

29. An Act to amend an Act entitled "An Act concerning Counsel and Attornies at Law."

30. An Act torepeal part of an act Instituted "An Act to provide for the More Convenient Organization of the Courts of this Territory."

31. An Act to prevent the importation and Spreading the Small Pox within this Territory.

32. An Act concerning Jails and Prisoners.

33. An Act to enable the County Courts to assess County Taxes and directing the manner of paying Money out of the County Treasury.

34. An Act to prevent suits from abating on the Death of either party.

35. An Act to provide for the more speedy promulgation of the Laws passed by the General Assembly.

Nos. 29 through 35 originated in the House of Representatives and were approved May 13,1802.

36. An Act to establish a College in the Mississippi Territory.

Originated in the Legislative Council. Approved May 13,1802.

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These laws passed at the 2nd Extra session, May,1802, of the FIRST GENERAL ASSEMBLY are signed by:

William C.C.Claiborne, Governor of the Mississippi Territory;
H.Hunter, Speaker of the House of Representatives;
John Ellis, President of the Legislative Council.
Felix Hughes - - Secretary to the Legislative Council.
Edward Turner -- Clerk of the House of Representatives.

(See data following No. 21 for officers of the 2nd session, hereinbefore listed.)

An act for altering the time of holding certain courts therein mentioned

Sect. 1st Be it enacted by the Legislative council and House of Representatives of the Mississippi Territory in General assembly convened and it is hereby enacted by the authority of the same That the superior courts for the following Districts instead of the times heretofore Established by law, shall be holden on the days hereafter mentioned, to wit, in and for the District of Washington on the fourth Monday in September, in and for the District of Adams on the third Mondays in June and November, in and for the District of Jefferson on the first Mondays in august and January

Sect. 2d And be it further enacted, That all writs and other process, which have been, or shall be duly sued out and made returnable to the superior Court for either of the Districts aforesaid, on the days on which the same was to have been held, previous to the passing of this act, and all Recognozances, that have been or shall be duly taken out and made so returnable shall be returned to and proceeded upon at the next term of the superior court for the District, which is hereby directed

Sect. 3d And be it further enacted, That the County Courts for the different Counties hereafter mentioned, instead of the times heretofore Established by law shall be holden on the days following, to wit, in and for the

County of Jefferson on the second Monday in July and November, in and for the County of Claiborne on the third Monday in July and the second Monday in December in and for the County of Wilkinson on the fourth Mondays in August and January and in and for the County of Washington on the fourth Monday in May & the second mondays in September.

Sect^n 4th And be it further enacted, That all writs and other process which have been or shall be duly issued out and made returnable to either of the County Courts for the Counties aforesaid on the days on which the same Courts were to have been held, previous to the passing of this act shall be returned to and proceeded upon in the same next County Courts respectively for the Counties aforesaid as is hereby directed and all property attached by virtue of such writs or process shall be held in due form of law to respond the final Judgments that shall be obtained upon the same respectively

Sect^n 5th And be it further enacted, that all actions, suits, process and other proceedings of what nature or kind so ever, depending and undetermined before the superior and before the County Courts aforesaid respectively shall be continued to the ~~same~~ next

Superior and County Courts respectively hereby directed to be holden in and for the Districts and Counties aforesaid respectively

Sect^n 6th And be it further enacted That this act shall be in force untill the end of the next session of the general assembly and no longer

A. Hunter Speaker
of the House of Representatives
John Ellis President
of the Council

Approved May 10th 1802 — William C. C. Claiborne
Governor of the Mississippi Territory

An act for altering the times of holding certain Courts therein mentioned.

Originated in the House of Repres.

An act for altering the times of holding certain Courts therein mentioned.

1 2 4

An Act to suspend part of the act to divide Jefferson County.

Whereas difficulties have arisen respecting the designation of a place for the seat of Justice in Claiborne County: therefore, SS. 1 Be it enacted by the Legislative Council, and House of Representatives of the Mississippi Territory in General assembly convened, and it is hereby enacted by the authority of the same, That so much of the act to divide Jefferson County, as respects the powers and duties of the Commissioners appointed by said act, to fix upon a place for the seat of justice in Claiborne County, be, and the same is hereby suspended, until the fifteenth day of September next ensuing, and then to be and remain in force and operation.

R. Hunter Speaker
of the House of Representatives

John Ellis Tarvedon
of the Council

Approved May 10th 1802 –

William C. C. Claiborne
Governor of the Mississippi Territory

An act to supplement part of the act to divide Jefferson County.

Originated in the House of Repres.

Edward Turner C.H.R.

An act for allowing the additional sum of Seven hundred and fifty Dollars for compleating the Court House, Gaol &c in Jefferson County

Sec.1, Whereas it has been represented to the General Assembly by the Commissioners appointed by an act of the last Session for the purpose of contracting for, and superintending the building of a court House, Gaol, Pillory Stocks &c in Jefferson County, that the sum of two thousand Dollars is inadequate to the Completion of the same, Be it therefore enacted by the Legislative Council and House of Representatives of the Mississippi Territory in General assembly convened, and it is hereby enacted by the authority of the same, That the Justices of the County Court of Jefferson County be, and they are hereby authorised and required, to raise the additional sum of Seven hundred and fifty dollars to be levied and collected in the manner as heretofore directed by an act of Last Session passed the twenty seventh day of January 1802, and that the said sum be paid into the Hands of the said Commissioners appointed by said act, and applied to the purposes aforesaid

Approved May 10th 1802 –

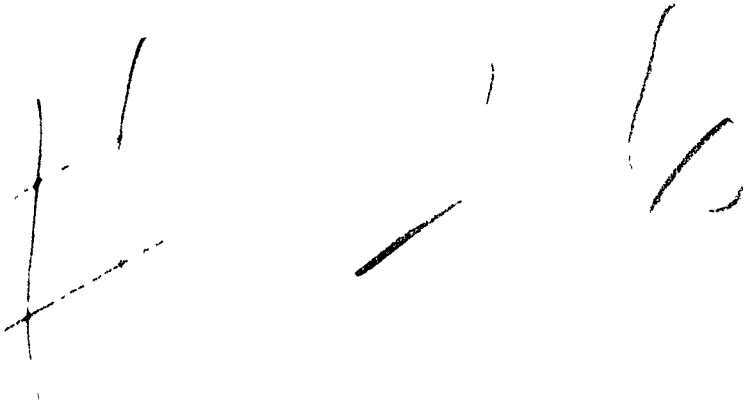
H. Hunter Speaker
of the House of Representatives
John Ellis Pandoust
President of the Council
William C. C. Claiborne Governor of the Mississippi Territory.

1819

An act for allowing the additional sum of $750. for compleating the Court house, gaol &c in Jefferson County.

Originated in the House of Repr:

Edwd Turner C. H.R.



An act, for allowing compensation to Robert Stark for certain services done as clerk of the late supreme Court of this Territory

Section 1 Be it enacted by the Legislative Council and House of Representatives of the Mississippi Territory in General Assembly convened, And it is hereby enacted by the authority of the same, that the sum of one Hundred Dollars be allowed Robert Stark, as a compensation for certain services done this Territory, as Clerk of the Late Supreme Court thereof, and the Publick Treasurer is hereby authorised and required to pay to the said Robert, the above sum of one hundred Dollars, out of any money in his Hands not otherwise appropriated.

H. Hunter Speaker
of the House of Representatives
John Ellis President
of the Council

Approved May 10th 1802
William C. C. Claiborne
Governor of the Mississippi Territory

An act for allowing compensation to Robert Stark for certain services done as Clerk to the late ~~Superior~~ Supreme Court of this Territory.

Originated in the house of Repre:

H.R.

An Act more effectually to secure the Rights and Interest of the Citizens of this Territory

WHEREAS the Government of this Territory is instituted for the Peace, protection and Happiness of the People thereof, and it being contrary to these objects, that any man or Body of men, should have or exercise in any case, an unlimited arbitrary power, to fine and imprison for offences against or themselves, in any capacity whatever. And whereas the Trial by Jury in all penal, as well as criminal cases, is both a safe and adequate mode of investigation and decision, and should only be suspended in cases of absolute necessity

Sect. 1 Be it therefore enacted by the Legislative Council and House of Representatives of the Mississippi Territory in General Assembly convened, And it is hereby enacted by the authority of the same, That no court shall, for any contempt against such Court, pass Judgment for, Decree, order or inflict, or cause to be inflicted any fine exceeding the sum of twenty Dollars, nor any imprisonment exceeding twenty four Hours, without the trial by Jury to assess the quantity of such fine and determine the Duration of such imprisonment.

Sect. 2 And be it further enacted, That no Judge or

Justice of the Peace for any Contempt offered to him shall have power to order and inflict, or cause to be inflicted any fine exceeding the sum of of six Dollars, nor any imprisonment exceeding six Hours and if any Court Judge or Justice shall offend herein the person or persons so offending shall be deemed guilty of a Misdemeanor in office, and shall moreover be subject to the action of the party injured for Damages to be assessed by a Jury.

And in all cases of trial by Jury under this act, the truth of the matter may be given in evidence by the Defendant on the General Issue

Sect^n 3. Provided, and be it further enacted That this act is not intended nor shall it be construed to affect cases arising under the Militia Laws nor to cases where a party served with process from any Court Judge or Justice shall refuse to answer according to law, or to perform any Decree Judgment or order of the same

Sect^n 4th And be it further enacted That the Judges of the Superior and Inferior Courts shall not charge Juries with respect to Matters of fact, but may state the testimony and Declare the law

J. J. Hunter Speaker
of the House of Representatives
John Ellis President
of the Council
William C. C. Claiborne
Governor of the Miss^i Territory

Approved May 10th 1806.

An act appointing the Place where the next and future Sessions of the General assembly shall be held

Sect^n 1st Be it enacted by the Legislative Council and House of Representatives of the Mississippi Territory in General Assembly Convened and it is hereby enacted by the authority of the same That the next and all future Sessions of the General assembly of this Territory shall be held in the Town of Washington untill otherwise directed by law and all the officers of the said Assembly are hereby required to give their attendance accordingly

A. Hunter Speaker
of the House of Representatives

Approved May 10th 1802

John Ellis President
of the Council

William C. C. Claiborne
Governor of the Mississippi Territory

An act appointing the place where the next & future sessions of the General Assembly shall be held.

Originated in the House of Repres.

Edw.d Turner C.H.R

An act to amend an act, intitled "an act concerning Counsel and Attornies at Law

Sec. 1st. Be it enacted by the Legislative Council and House of Representatives of the Mississippi Territory, in General Assembly Convened, and it is hereby enacted by the Authority of the same, That ~~before any~~ no person shall hereafter be permitted to practice as Counsel or Attorney at Law, in any ~~of the Courts~~ of this Territory without previously producing to the Court a License from the Governor of the Territory for the time being and in the presence of such Court shall take an Oath to support the Constitution of the United States and also the following Oath of Office I. A. B. do solemnly swear/or affirm that I will honestly demean myself in the Practice of the Law as Counsel, or Attorney, and will in all respects execute my office, according to the best of my knowledge and abilities. And if any person shall presume to practice as Counsel or Attorney without being licensed and Qualified as aforesaid, he shall forfeit the sum of two hundred Dollars for every cause he shall prosecute or defend, in any Court in this Territory, one half to the use of the Informer, the other half to the use of the Territory, to be recovered by action of Debt in any Court of Record.

Provided that nothing herein contained shall be so construed, as to prevent or deprive any Citizen from the privilege of personally prosecuting or defending any suit in which he may be a party.

Sect^n 2^d And be it further enacted That the first and second Sections of the act, passed on the thirtieth day of January one thousand Eight hundred and two entitled an act concerning Counsel and Attorneys at Law be and the same are ~~hereby~~ repealed

H. Hunter Speaker
of the House of Representatives
John Ellis President
of the Council

Approved May 13th 1802 — William C. C. Claiborne
Governor of the Mississippi Territory

1809

An act to amend an act entitled an act concerning Counsel and Attorneys at Law

Originated in the House of Representatives

An act to amend the act intitled "an act concerning Counsel & Attornies at Law.

Originated in the House of Repts.

Saw? Turner C. H. R.

An act to repeal part of an act intitled "An act to provide for the more Convenient Organization of the Courts of this Territory"

Be it enacted by the Legislative Council and House of Representatives of the Mississippi Territory in General Assembly convened and it is hereby enacted by the authority of the same that so much of the forty fifth section of the act to provide for the more convenient Organization of the Courts of this Territory, as declares that there shall not be appointed a greater number than twelve Justices of the County Court in each County, be and the same is hereby repealed

A Hunter Speaker
of the House of Representatives
John Ellis President
of the Council
William C. C. Claiborne
Governor of the Mississippi Territory

Approved May 13th 1802

An act to repeal part of an act intituled "an act to provide for the more convenient orga=
=nization of the courts of this Territory".

Originated in the house of Repres.

Edw.d Turner C.H.R.

1891

An act to prevent the importation and spreading the small Pox within this Territory

Sectn 1st Be it enacted by the Legislative Council and House of Representatives of the Mississippi Territory in General Assembly convened and it is hereby enacted by the authority of the same That if any person or persons whatever shall wilfully and designedly presume to import or bring into this Territory from any country or place whatever the small Pox or any varulus or infectious matter of said disease for the purpose or with a design to spread the same by inoculation or otherwise or shall inoculate or procure inoculation for the small pox ~~after such disease~~ after such Desease may have been introduced, except under such regulations and restrictions as shall hereinafter be named, he or she so offending shall forfeit and pay a sum not exceeding two thousand Dollars and be imprisoned ~~and~~ a term not exceeding twelve months for every offence so committed

Sectn 2d Provided in the enacted That the Governor is hereby authorised on information being given or of his own knowledge that the small Pox has been introduced into a neighbouring country or found admittance within this Territory or on board of any Boat or Vessel, at or near the shores of the same to take such measures to prevent a

communication of the infection, and for the aid and comfort of the sick when within the said Territory, as he shall deem meet, and all expences incured in the prosecution of this Humane intention shall by warrant of the Governor be paid out of the Monies of the Territorial Treasury not otherwise appropriated but in all cases the said expences shall be reimbursed by the person or persons for whom such provision shall have been made, they beeng of ability to pay the same

Sect^n 3^d And be it further enacted that whereas in certain cases inoculation for the small pox may not only be a prudent - but a necessary measure for securing those who are or may be unavoidably exposed to the Danger of taking the disease in the natural way and for this reason it is Judged expedient to tolerate the same under certain reasonable regulations and restrictions. It is provided therefore that if any person or persons who may wish to be inoculated shall petition the Governor to that effect he may appoint him or them a place within this Territory that will not endanger the Health of the Citizens of the same where the petition or or petitioners shall resort for the purpose of being

inoculated and should any Master or Mistress of a family think him or herself his or her family in danger of catching the small pox in the natural way such person shall give like notice to the Governor and if he shall deem it prudent and proper and not dangerous to the Health and safety of the people of this Territory for such person or family to be inoculated he may admit of the same or otherwise as to him shall seem expedient.

Sect^n 4th And be it further enacted That no patient in the small pox shall untill after having obtained a certificate from the attending physician or other person, qualified to give such certificate of his, her or their recovery, and of their being perfectly clean in their person and cloaths remove from the place where he she or they shall have had the small pox to go abroad in the company of other people who have not had the disease or go into any publick road or high way where travellers usually pass without retiring out of the same or giving notice on the approach of any passenger under the penalty of forfeiting and paying for every such offence the sum of one hundred Dollars and if a servant or slave to be paid by his or her master or Mistress

Sect^n 5th And be it further enacted That all monies forfeited under this act may be sued for in any court of record within this Territory having Jurisdiction of the same and the monies so recovered shall be appropriated the one half to the Informer and the other half paid into the treasury of this Territory

Sect^n 6 And be it further enacted That this Law shall be in force from and after the passage thereof any other law usage or custom to the contrary notwithstanding

Sect^n 7 And be it further enacted that all acts or parts of acts coming within the purview of this act shall be and the same are hereby repealed

H. Hunter Speaker
of the House of Representatives
John Ellis President
of the Council

Approved May 13th 1802

William C. C. Claiborne
Governor of the Mississippi Territory

Referred to the Committee
on Public Health & Quarantine

An act to prevent the
importation & spreading
of the Small-pox
within this Territory.

1859

An act concerning Jails and prisoners

Sect. 1st Be it enacted by the Legislative Council and House of Representatives of the Mississippi Territory, in General assembly convened, and it is hereby enacted by the authority of the same That when a prisoner shall be confined for Damages, or Debt on mesne or final process, such prisoner shall be furnished agreeably to the law for that purpose by the Plaintiff who may at his choice furnish the prisoner or may call on the Jailor to furnish him for the sum allowed by law; It shall be the Duty of the Jailor to furnish the prisoner at the expence of the Plaintiff untill he shall give notice to the Plaintiff or his attorney, who shall after such notice either provide for the Maintenance of the prisoner or pay the Jailor for his Maintenance, on each succeeding Monday and on failure to make such payment for one week, the Jailor may discharge the prisoner from custody, and may at his option have his suit against the Plaintiff or Defendant for what has become due for prison fees and Maintenance.

Sect^n 2^d And be it further enacted That when a prisoner confined on a criminal charge shall be found innocent the expence of his Maintenance and fees shall be defrayed by the County where the supposed offence was committed unless taxed by the court on the prosecutor; but when a prisoner shall be found guilty and be unwilling or unable to discharge the expence of his Maintenance and fees he shall be hired out by the sheriff of the County where such prisoner may be convicted for such time as any person will take him to serve for the expence of such Maintenance and fees the said Sheriff advertising the time and place of hiring at least ten days previous thereto

Sect^n 3^d And be it further enacted That a law for the well regulating of Jails and prisons declared and published by the Governor and Judges on the tenth day of April one thousand seven hundred and ninety nine be and the same hereby made null and void

Approved May 13th 1802 –

A Hunter Speaker
of the House of Representatives
John Ellis President
of the Council
William C. C. Claiborne
Governor of the State of the Mississippi Territory

An act concerning
Jails & Prisoners.

Originated in the House of Rep.s

Edwd. Turner C. H. C.

An act to enable the County Courts to assess County Taxes and directing the Manner of paying Money out of the County Treasury

Sectn 1st Be it enacted by the Legislative Council and House of Representatives of the Mississippi Territory in General Assembly convened a. ' is hereby enacted by the authority of the same that the County Courts in this Territory, at their first meeting after the first day of January in every year, shall according to the Demands of the Counties respectively be authorised to lay a tax upon the following property, and in the following proportion to wit; upon every one hundred acres of Land, a sum not exceeding twenty five cents; upon every improved Town lot, a sum not exceeding three Dollars; upon every unimproved Town lot a sum not exceeding twenty five Cents; and upon each taxable slave a sum not exceeding twenty cents.

Sectn 2d And be it further enacted, that the County tax shall be collected together with the public tax, and subject to the same regulations, in the manner of collecting, and shall be paid into the Hands of the County Treasurer, at the same time, and under

the same penalties, as the publick taxes are to be paid to the treasurer General

Sec.ⁿ 3ᵈ And be it further enacted that all accounts against a County, shall be exhibited to the County Courts respectively and if allowed by the Courts after examination the Clerk of the County Court shall certify such allowance, which certificate shall be a warrant to the County Treasurer, for the payment of the sum so allowed, and the certificate with a receipt for the money paid, shall be retained by the Treasurer and be credited in the settlement of his accounts.

Approved Mar. 13ᵗʰ 1802

N. Hunter Speaker
of the House of Representatives
John Ellis President
of the Council
William C. C. Claiborne
Governor of the Mississippi Territory

1802

An act to enable the county Court to assess county taxes; and directing the manner of paying money out of the county Treasury.

Originated in the House of Repres.s

Edwd Turner C.H.R.

An act to prevent suits from abating on the Death of Either party.

Sect^n 1st Be it enacted by the Legislative Council and House of Representatives of the Mississippi Territory, in General Assembly convened, And it is hereby enacted by the Authority of the same, That when any suit is, or shall be depending in any Court in this Territory, and Either of the parties shall die before final Judgment, the Executor, Executrix, Administrator or Administratrix of such deceased, who was Plaintiff Petitioner or Defendant, in case the cause of Action by law survive, shall have full power, to prosecute or Defend such action, untill final Judgment, and the Defendant or Defendants are hereby obliged to answer thereto accordingly and the Court before whom such cause may be depending, is hereby empowered and directed to hear and determine the same, and to render Judgment for or against the Executor Executrix Administrator or Administratrix as the case may require, and if such Executor Executrix Administrator or Administratrix having been duly served with a Scire facias, or citation from the office of the Clerk, of the Court, where such suit is depending, fifteen days before the meeting thereof, shall neglect or refuse to become a party to the suit, the court may render Judgment against the Estate of the Deceased party, in the same Manner, as if the Executor Executrix Administrator or Administratrix had voluntarily

made him or her self a party to the suit, and the Executor Executrix Administrator or Administratrix who shall become a party as aforesaid shall upon Motion to the Court where the suit is depending be entitled to a Continuation of the same, untill the next term or time of holding the Court

Approved May 13th 1802 —

Authorized Speaker
of the House of Representatives
John Ellis President
of the Council
William C. C. Claiborne
Governor of the Mississippi Territory

1892

84.

An Act to prevent Suits from abating on the death of either party.

Originated in the House of Reps.

Edwd. Turner C. H.R.

An act to provide for the more speedy promulgation of the laws passed by the General Assembly.

Whereas there has been great delays in the publication of the laws of this Territory heretofore passed by the General Assembly, and whereas the same inconvenience and difficulty may continue

Sect. 1 Therefore Be it enacted by the Legislative Council and House of Representatives of the Mississippi Territory in General Assembly convened, and it is hereby enacted by the authority of the same That the Governor be, and he is hereby authorised and requested to take such measures, for the speedy promulgation of the laws, which may be passed during the present and subsequent sessions of the General Assembly of this Territory, as he may deem expedient and necessary, And the expence of such promulgation, shall be paid by warrant from the Governor, out of any money in the publick Treasury not otherwise appropriated

Sect. 2d And be it further enacted, That if Darius Moffett and James Ferrall, who were appointed publick printers by an act entitled "An act to provide for the printing and publishing the Journals and Acts of the General Assembly" shall refuse or neglect to print the laws and Journals, within the time directed in the act aforesaid, then and in that case, the Governor shall and may employ another printer to perform the said services, or he may take such other measures to effect the their publication, as he may deem proper, and the expence

attending the same, shall be paid in the same manner as is directed in the first section of this act

Section 3d And be it further enacted that this act shall commence and be in force from and after the passage thereof untill the end of the next session of the General Assembly, and no longer, any other Law to the contrary notwithstanding

Approved May 13th 1802.

R. Hunter, Speaker
of the House of Representatives

John Ellis President
of the Council

William C. C. Claiborne
Governor of the Mississippi Territory.

An Act to provide for the more speedy promulgation of the Laws passed by the General assembly.

Originated in the House of Repres.
Edwd. Turner C. H.R.

An Act to establish a College in the Mississippi Territory.

Sect. 1. Whereas Education conduces to the Happiness and Improvement of Man and is particularly necessary to the Support and Security of Republican Governments, Therefore, Be it enacted by the Legislative Council and House of Representatives of the Mississippi Territory in General Assembly convened, and it is hereby enacted by the Authority of the same that there shall be established in this Territory a College, which shall bear the Name of Jefferson College, in honor of Thomas Jefferson President of the United States, and President of the American Philosophical Society.

2. And be it further enacted that the following persons to wit, William C. C. Claiborne, Anthony Hutchins, William Dunbar, (of second Creek) Benjamin Farar, William Vousdan, John Ellis, David Ker, Adam Bingaman, David Pattimore, Bernard Lintot, Cato West, John Girault, Thos. M. Green, Samuel Gibson, Daniel Burnet, Felix Hughes, Alexander Montgomery, Drury W. Bozeale, Thomas Calvit, James Carter, Nathaniel Christmas, John Hale, Abner Green, Sutton Banks, Abram Ellis, Ro. and Butler, Robert Dunbar, John M.c Grew, Jacob Harley, Joseph Samuel, Isaac Gaillard, John Bisland,

Abrah.

Abraham Green and James Doggett shall be a body corporate by the name of the Trustees of Jefferson College, and by that name shall be capable in law to receive all Donations and recover all Debts which may become the Property of said College and may in general do all acts for the Benefit of the Institution, which are incident to to Bodies corporate.

§3. And be it further enacted that the first Meeting of the Trustees shall be held on the first Monday in January next at the Town of Washington where they shall proceed to choose out of their own Body, a President and Vice President. The President or in his absence the Vice President shall have power to call extraordinary Meetings of the Trustees, by giving ten Days notice to each Member, befor such Meeting shall be held. The ordinary Meetings of the Board shall be held on their own Adjournments, thirteen Members shall constitute a Quorum to do Business at the first Meeting but at all subsequent Meetings, seven may constitute a Quorum to proceed to Business. The President, or in his Absence from the meeting, the Vice President shall preside or in case of the Absence of both, any Member chosen, by a Majority of the Members present, shall preside.

4. And be it further enacted that the Board of Trustees shall have power and it shall be their duty, with all convenient Speed, to fix on some healthy and contracted situation, whereat to establish the College and to contract for the erecting of the necessary Buildings; they shall also have power to engage a President and other Professors & Tutors, and all necessary Officers for conducting the

civil and literary concerns of the College, and to displace & supersede them at pleasure. They also shall have Authority, & it shall be their duty to examine the proficiency of the Students to confer the Degrees of Batchelor and Master of Arts, to make all Laws and regulations which they shall judge necessary for the good Government of the College, and for promoting Morality and Virtue among the Students and they shall take effectual Care that Students of all Denominations may and shall be admitted to the equal advantages of a liberal Education and to the Emoluments and Honors of the College, and that they shall receive a like fair and generous Treatment during their Residence thereat.

5. And be it further enacted, that in Case of Death, removal from the Territory, resignation or refusal to act of any of the Trustees, the Board may at any of their Meetings appoint a successor

6 And be it further enacted that as Jefferson College must, for the present, be supported by the voluntary Contributions of the Citizens, the Board of Trustees are authorised to raise for the Benefit of said College by a Lottery a Sum not exceeding ten thousand Dollars; they shall also collect Donations from the Citizens of the Territory and elsewhere; the Names of such Donors with their Donations annexed shall be inscribed in a Book kept for that purpose, and shall be preserved among the Archives of the College, in order that posterity may know, who were the Benefactors of the Institution.

7. And be it further enacted that the President, Professors, Tutors and Students of the College, shall be exempt from

all

all militia Duty, during their continuance as members of the College except in a general Invasion of the Territory.

8. And be it further enacted, that the Lands, public Buildings and other property belonging to Jefferson College are hereby declared to be free from every kind of public Tax.

H. Hunter Speaker
of the House of Representatives

John Ellis President
of the Council

Approved May 13th 1802

William C. C. Claiborne
Governor of the Mississippi Territory

Original filed in the Secretary's office

An act to establish a College in the Mississippi Territory

1802

1802